

**BOARD OF PAROLE HEARINGS
Executive Board Meeting
August 21, 22, and 23, 2023**

August 21, 2023

Meeting called to order at 1:01 p.m.

In compliance with Government Code section 11123, Board commissioners who voted on cases were present in person at 1515 K Street, Sacramento. Interested parties and members of the public were able to participate virtually, by telephone or in person.

Roll Call: Commissioners Cassady, Chappell, Dobbs, Kozel, Long, Muñiz, Ndudim, O'Meara, Ruff, Sharrieff, Taira and Thornton were present in person at 1515 K Street, Sacramento.

Commissioners GARCIA and GARLAND participated virtually (due to canceled flights from Tropical Storm Hilary) and did not vote on the cases referred *en banc*.

Commissioner CASSADY stated that the majority of currently-appointed commissioners were present.

EN BANC REFERRALS

Referral by the Chief Counsel pursuant to Penal Code section 3041, subdivision (b) and California Code of Regulations, title 15, section 2042 to assure complete, accurate, consistent and uniform decisions and the furtherance of public safety.

2. GONZALEZ, MARIO (K68747)

A representative of the San Diego County District Attorney's Office recommended ordering a rehearing.

3. KINLEY, MICHAEL (J77505)

A representative of the Fresno County District Attorney's Office recommended ordering a rehearing.

4. MOORE, LEMBRIC (F24990)

No speakers.

Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044, subdivision (b), to request review of a parole decision by a majority of appointed commissioners.

5. CAUDILLO, RICKY (AV9475)

CAUDILLO's family supported the parole grant.

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6. DENGON, KAMSAO (K23659)

No speakers.

7. DUKE, JONATHAN (AX0880)

DUKE's family, friends and attorney JOSEPH MAGAZZENI, supported the parole grant.

8. FORD, DION (V95180)

A representative of the San Bernardino County District Attorney's Office recommended ordering a rescission hearing.

9. HARVEY, KOREY (AN9345)

HARVEY's family and a friend supported the parole grant.

A representative of the Riverside County District Attorney's Office and the victim's family recommended ordering a rescission hearing.

10. MORGAN, RODNEY (P16686)

No speakers.

11. NIGHTINGALE, WILLIAM (V23092)

No speakers.

12. REYES, SHANDALE (G15621)

REYES's family, friends and attorney CHARLES CARBONE, supported the parole grant.

13. SMITH, DANIEL (C76433)

A representative of the Sacramento County District Attorney's Office and the victim's family recommended ordering a rescission hearing.

14. STROTHER, STEVEN (V39811)

A representative of the Orange County District Attorney's Office recommended ordering a rescission hearing.

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15. TAFOYA, JON (G12832)

TAFOYA's family, friends and attorney JOSEPH MAGAZZENNI, supported the parole grant.

A representative of the Orange County District Attorney's Office recommended ordering a rescission hearing.

16. VILLARREAL, CHRISTOPHER (J95024)

VILLARREAL's family supported the parole grant.

A representative of the Fresno County District Attorney's Office and the victim's family recommended ordering a rescission hearing.

OPEN COMMENTS

VANESSA NELSON-SLOANE, Life Support Alliance, requested that the board consider all the circumstances of cases referred *en banc* for allegations of EDD fraud, as some of the filings were the result of confusion and misinformation.

Open session recessed at 03:09 p.m.

**BOARD OF PAROLE HEARINGS
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August 22, 2023

Meeting reconvened at 9:01 a.m.

In compliance with Government Code section 11123, Board commissioners were present in person at 1515 K Street. Interested parties and members of the public were able to participate virtually, by telephone or in person.

Roll Call: Commissioners Barton, Cassady, Chappell, Dobbs, Garcia, Garland, Infante, Kozel, Long, Muñiz, Ndudim, Nwajei, O'Meara, Purcell, Ruff, Schneider, Sharrieff, Taira, Thornton and Weiss present.

Commissioner GARCIA stated that the majority of currently-appointed commissioners were present.

CONSENT CALENDAR

Commissioner CASSADY moved to approve the consent calendar. Commissioner NWAJEI seconded the motion, which carried unanimously, with Commissioners BARTON, GARLAND and LONG abstaining.

REPORTS

Report from Robert Love, Staff Services Manager I, Office of Victims and Survivor Rights and Services (OVSRS)

LOVE described OVSRS's Victim Offender Dialogue program and the Board of Parole Hearings Outreach program.

PRESENTATIONS

Presentation by Tara Doetsch, Chief Deputy of Program Operations on Overview of the Board's Process for Handling Hearing-Related Procedural Matters

DOETSCH presented information on the hearing scheduling process.

Presentation by Jessica Blonien, Chief Counsel on Access to Medical Records at Parole Hearings

BLONIEN presented a legal analysis regarding use of medical records at parole hearings.

Meeting recessed at 10:03 a.m.

Meeting reconvened at 10:34 a.m.

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Presentation by Bethany Jones, Senior Television Producer on Compassion, Fatigue, and Recovery

JONES presented information about secondary trauma and self-care.

OPEN COMMENTS

JOHN CROSS, San Diego County District Attorney's Office, expressed concern that the board's Microsoft Teams hearing invitations will no longer allow all the participants to be visible ahead of the hearing. He requested that the board give greater notice to participants of delays in starting hearings.

VANESSA NELSON-SLOANE, Life Support Alliance, requested an update on the OVSRS letter bank. She requested clarification on whether the board engages interpreters after appointment of an attorney. NELSON-SLOANE expressed concern that hearing transcripts record inmates' protected medical information. She concurred with the conclusions of the presentation on compassion fatigue.

Meeting recessed at 11:45 a.m.

**BOARD OF PAROLE HEARINGS
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August 23, 2023

Meeting reconvened at 9:03 a.m.

Roll Call: Commissioners Barton, Cassady, Chappell, Infante, Kozel, Ndudim, Nwajei, O'Meara, Purcell, Ruff, Schneider, Sharrieff and Weiss present.

Commissioner PURCELL stated that the majority of currently-appointed commissioners were present.

EN BANC REFERRALS

Referral under Penal Code section 3041 when there is a tie vote.

31. BROWN, EDRICK (V70186)

No public comment permitted.

Referral by the Governor under Penal Code section 4802 to review a pardon application.

32. COX, STEVEN (P56817)

COX, COX's family and a representative of the Sacramento County District Attorney's Office supported the application.

33. TINNEY, BRIAN (K15709)

TINNEY, TINNEY's family and friends supported the application.

Referral by a hearing panel member under Penal Code section 3041(a)(5) and California Code of Regulations, title 15, section 2044(a) to request review of a parole decision by a majority of appointed commissioners.

34. ABURTO, RAFAEL (T67570)

ABURTO's family and friends supported the parole grant.

A representative of the Sacramento County District Attorney's Office recommended ordering a rehearing.

Referral by the Chief Counsel pursuant to Penal Code section 3041, subdivision (b) and California Code of Regulations, title 15, section 2042 to assure complete, accurate, consistent and uniform decisions and the furtherance of public safety.

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35. BURNSIDE, JR., CARL (E94164)

BURNSIDE's family and friends supported the parole grant.

A representative of the Sacramento County District Attorney's Office recommended ordering a rehearing.

36. GUTIERREZ, JOE (AM3565)

No speakers.

37. JONES, EFREM (AK8690)

No speakers.

38. RAMIREZ, OMAR (F72217)

No speakers.

39. REYNOLDS, TIMOTHY (C35135)

REYNOLDS's family supported the parole grant.

Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044, subdivision (b), to request review of a parole decision by a majority of appointed commissioners.

40. BENITEZ, JOSEPH (F01519)

A representative of the Riverside County District Attorney's Office recommended ordering a rescission hearing.

41. JACKSON, JR., WILLIE (C33593)

A representative of the Fresno County District Attorney's Office recommended ordering a rescission hearing.

42. MADAYAG, MICHAEL (J65158)

MADAYAG's family and friends supported the parole grant.

A representative of the Monterey County District Attorney's Office recommended ordering a rescission hearing.

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43. MARIA, JEFFREY (C17317)

MARIA's family, friends and attorney, RICH PFEIFFER, supported the parole grant.

A representative of the Stanislaus County District Attorney's Office, the victim's family and friends recommended ordering a rescission hearing.

Meeting recessed at 11:39 a.m.

Meeting reconvened at 11:53 a.m.

44. MARINERO, NATALY (X33148)

MARINERO's family, friends and attorney, ANOOP PRASAD, supported the parole grant.

45. MILLER, HUTTON (P59402)

MILLER's family supported the parole grant.

A representative of the San Diego County District Attorney's Office recommended ordering a rescission hearing.

46. RODRIGUEZ, ANDREW (T44352)

RODRIGUEZ's family and a friend supported the parole grant.

A representative of the Orange County District Attorney's Office recommended ordering a rescission hearing.

47. RODRIGUEZ, ERNESTO (T03800)

RODRIGUEZ's friends supported the parole grant.

48. SALGADO, HIGINIO (AU0347)

A representative of the San Diego County District Attorney's Office recommended ordering a rescission hearing.

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49. YI, CHARLES (V68290)

YI's family and a friend supported the parole grant.

Attorney KATHY CADY, the victim's family and a victim's friend recommended ordering a rescission hearing.

OPEN COMMENTS

VANESSA NELSON-SLOANE, Life Support Alliance, expressed that accuracy in the comprehensive risk assessments is essential. She recommended making recordings of the comprehensive risk assessment interviews, and invites the new Chief Psychologist to re-think this policy.

Meeting recessed at 01:06 p.m.

Meeting reconvened at 04:07 p.m. and adjourned at 04:08 p.m.



**Board of Parole Hearings
Scheduled and Backlog Hearings Report
Penal Code Section 3041(d)
September, 2023**

